

UNITED STATES DISTRICT COURT
DISTRICT OF MAINE

ALAN STOKES,

PLAINTIFF

v.

**JO ANNE B. BARNHART,
COMMISSIONER OF SOCIAL SECURITY,
AND REGINA BROOKS,**

DEFENDANTS

CIVIL No. 02-103-P-H

**ORDER AFFIRMING RECOMMENDED DECISION
OF THE MAGISTRATE JUDGE**

The United States Magistrate Judge filed with the court on March 13, 2003, with copies to counsel, his Memorandum Decision on Defendants' Motion to Substitute and Plaintiff's Motion to Amend Complaint and Recommended Decision on Defendants' Motions to Dismiss and for Summary Judgment. The time within which to file objections expired on March 31, 2003, and no objections have been filed. The Magistrate Judge notified the parties that failure to object would waive their right to *de novo* review and appeal.

It is therefore **ORDERED** that the Recommended Decision of the Magistrate Judge is hereby **ADOPTED**. The defendants' motion to dismiss is **GRANTED** except as to the claim for intentional infliction of emotional distress set forth in Count II of

the Amended Complaint. The motion for summary judgment on that claim is
DENIED.

So ORDERED.

DATED: APRIL 2, 2003

D. BROCK HORNBY
UNITED STATES DISTRICT JUDGE